

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

BANK OF AMERICA, N.A.,)	3:15-cv-00291-MMD-WGC
)	
Plaintiff,)	<u>MINUTES OF PROCEEDINGS</u>
)	
vs.)	February 17, 2016
)	
RAINBOW BEND HOMEOWNERS)	
ASSOCIATION,)	
)	
Defendant.)	
_____)	

PRESENT: THE HONORABLE WILLIAM G. COBB, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: Katie Lynn Ogden REPORTER: FTR

COUNSEL FOR PLAINTIFF: Darren Brenner (Telephonically)

COUNSEL FOR DEFENDANT: Peter Dunkley (Telephonically)

MINUTES OF PROCEEDINGS: Discovery Status Conference

11:33 a.m. Court convenes.

The court holds today's conference at the request of counsel for an expedited hearing to address the parties' Stipulation to Stay Remaining Discovery Pending Ruling on Dispositive Motions (ECF No. 24).

Counsel expresses concern that certain discovery, such as the deposition of the HOA and Kern, is premature due to recent developments in the case and evolving law (eg., recent State of Nevada Supreme Court opinion in the matter of *Shadow Wood Homeowners Association, Inc.; and Gogo Way Trust v. New York Community Bancorp, Inc.*).

The court and counsel discuss the general outcome of the recent motion hearing held before District Judge Du on 2/9/2016. (ECF No. 23.)

The court next hears argument from counsel regarding the parties' request to stay discovery.

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The court expresses its concern allowing an indefinite stay of discovery. However, given the current posture of this case, the court questions any utility in resetting the deadlines established in the scheduling order (ECF No. 17).

Therefore, after further consideration, the court will allow for a limited stay of discovery for approximately sixty (60) days. The court schedules a status conference for **Wednesday, April 20, 2016, at 10:00 a.m.** Counsel wishing to appear telephonically for the next scheduled status conference shall dial **1-877-873-8017**, enter the access code **3416460**, and enter the security code **42016** approximately five (5) minutes prior to the hearing. The court will address the status of the discovery stay and, if appropriate, reestablish new deadlines during the next status conference.

IT IS ORDERED the parties' Stipulation to Stay Remaining Discovery Pending Ruling on Dispositive Motions (ECF No. 24) is **GRANTED in part** and **DENIED in part** according to the discussions had during today's hearing.

IT IS FURTHER ORDERED once Judge Du's written order is entered regarding the arguments heard on 2/9/2016, counsel shall file a notice stating the parties' position as to how the court's decision may impact discovery in this matter. The court prefers a joint notice; however, if the parties have competing positions they may file their notices separately. The notice shall be filed with the court no later than seven (7) days after Judge Du enters her written order.

There being no additional matters to address at this time, court adjourns at 11:50 a.m.

IT IS SO ORDERED.

LANCE S. WILSON, CLERK

By: /s/
Katie Lynn Ogden, Deputy Clerk